IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

Bail Appl..No. 4558 of 2007()

[CRIME NO.193/2007 OF NEDUMANGAD POLICE STATION]

PETITIONER/1ST ACCUSED:

RANJITH RAJ, AGED 33, S/O.LATE
K.NATARAJAN, PANAYIL VEEDU, ARASUPARAMBU,
NEDUMANGAD P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.VINEETH KUMAR.V.S.
SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENT: COMPLAINANT:

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4558 of 2007

Dated this the 27th day of July 2007

O R D E R

Application for anticipatory bail. The petitioner is the first accused. Altogether there are three accused persons. The allegations are raised under the provisions of the Explosive Substances Act. The petitioner is the Secretary of a temple festival committee. In connection with the celebration of the festival, certain fire works had to be conducted. The petitioner is alleged to have sent the third accused to the shop of the second accused to collect the fire works/explosives necessary for the said purpose. While the third accused was carrying the explosive substances/crackers to the temple in his bicycle, the crackers had allegedly exploded causing injuries to persons. It is alleged that the accused had thereby committed the offence punishable under the Explosive Substances Act. Crime has been registered. Investigation is in progress. The petitioners apprehend imminent arrest.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail subject to appropriate conditions which shall ensure the interests of a fair, efficient and expeditious investigation. In the facts and circumstances which I have briefly adverted to earlier, I am of the opinion that it is not necessary to advert to facts in any further detail in this order.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 03/08/2007.

ii) He shall be released on regular bail on condition that he executes a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 3 p.m on 04/08/2007 and 06/08/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of one month. Subsequently he shall so appear as and when directed by the investigating officer in writing to do so.

(iv) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(v) If he were arrested prior to 03/08/2007, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 03/08/2007.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007